



## MLA Service Member's Dependents

**Who are a Service member's dependents? Under the Final Rule, dependents are:**

- A Service member's spouse;
- A Service member's child who is under the age of 21 or meets certain other conditions;
- A Service member's parent or parent-in-law residing in the Service member's household who is (or was, at the time of the Service member's death, if applicable) dependent on the Service member for more than one-half his or her support; and
- An unmarried person who is not a dependent of a member under any other subparagraph over whom the Service member has custody by court order and who meets certain other conditions.

Additional conditions for dependents, see below.

**When is a Service member's child who is 21 or older a dependent?** A Service member's child who is 21 or older can be a dependent if the child is (or was, at the time of the Service member's death, if applicable) dependent on the Service member for more than one-half of his or her support and:

- Under the age of 23 and enrolled full time at an institution of higher learning approved by the Secretary of Defense; or
- Incapable of self-support because of a mental or physical incapacity that occurs while a dependent of a Service member.